

Attorney Docket No. P11899-US2

**REMARKS/ARGUMENTS****1.) Claim Amendments**

The Applicants have amended claims 2-19 and 21-37. Claims 38 and 39 have been canceled. Independent claims 1 and 20 were previously canceled. New claims 40-46 have been added. Accordingly, claims 2-19, 21-37, and 40-46 are pending in the application. Favorable reconsideration of the application is respectfully requested in view of the foregoing amendments and the following remarks.

**2.) Claim Rejections – 35 U.S.C. § 102(b)**

The Examiner rejected claims 1, 3-8, 16-20, 22, 25-28 and 35-37 under 35 U.S.C. § 102(b) as being anticipated by Sun (US 5,247,623). The Applicants have amended the claims to better distinguish the claimed invention from Sun. The Examiner's consideration of the amended claims is respectfully requested.

The Examiner rejected claim 1, but claim 1 was previously canceled and rewritten as claim 38. In this amendment, claim 38 has been canceled and rewritten as new claim 40. Therefore, this response addresses the allowability of claim 40.

The preferred embodiment described in the specification is a system and method for implementing a flexible radio link protocol (RLP) in a mobile radio communication system. The claims were initially drafted to recite a system and method for enabling error-free delivery of data between a transmitting peer entity and a receiving peer entity. In this response, the claim amendments clarify that the invention is a system and method for implementing a flexible RLP in a mobile radio communication system.

Claim 40 recites a method of implementing a flexible radio link protocol that enables transmission of data between a radio access network and a mobile station when operating with a plurality of data transmission modes, wherein each of the data transmission modes has an associated set of rules for transmitting data. The method includes the steps of informing the radio access network and the mobile station of a specific data transmission mode to be utilized for delivery of data between the radio access network and the mobile station; and determining by the radio access network, a first set of rules corresponding to the specific data transmission mode. The first set of

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rules governs whether the radio access network should send polling requests to the mobile station, and if so, how and/or when the polling requests should be sent. Upon determining that the radio access network should send polling requests to the mobile station, the radio access network sends a polling request to the mobile station in accordance with the first set of rules. The method also includes determining by the mobile station, a second set of rules corresponding to the specific data transmission mode. The second set of rules governs whether the mobile station should send status reports to the radio access network in response to receiving one or more polling requests, and if so, how and/or when the status reports should be sent. Upon determining that the mobile station should send status reports to the radio access network, the mobile station sends a status report to the radio access network in accordance with the second set of rules.

Sun discloses the sending of polling requests between a plurality of PCs and a plurality of printers in order to connect a PC to an available printer. Thus, the claimed invention is entirely different from Sun, which does not teach or suggest anything about mobile radio communication systems. Therefore, the allowance of claim 40 is respectfully requested.

Claims 3-8 and 16-19 have been amended to depend from claim 40. Claims 3-8 and 16-19 recite further limitations in combination with the novel elements of claim 40. Therefore, the allowance of claims 3-8 and 16-19 is respectfully requested.

The Examiner rejected claim 20, but claim 20 was previously canceled and rewritten as claim 39. In this amendment, claim 39 has been canceled and rewritten as new claim 42. Therefore, this response addresses the allowability of claim 42.

Claim 42 is a system claim corresponding to method claim 40. Claim 42 recites a system for implementing a flexible radio link protocol that enables transmission of data between a radio access network and a mobile station when operating with a plurality of data transmission modes, wherein each of the data transmission modes has an associated set of rules for transmitting data. The system includes means for informing the radio access network and the mobile station of a specific data transmission mode to be utilized for delivery of data between the radio access network and the mobile station; and means within the radio access network for selecting a first set of rules

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corresponding to the specific data transmission mode. The first set of rules governs whether the radio access network should send polling requests to the mobile station, and if so, how and/or when the polling requests should be sent. The system also includes signaling means in the radio access network for sending a polling request from the radio access network to the mobile station in accordance with the first set of rules; and means within the mobile station for selecting a second set of rules corresponding to the specific data transmission mode. The second set of rules governs whether the mobile station should send status reports to the radio access network in response to receiving one or more polling requests, and if so, how and/or when the status reports should be sent. The system also includes signaling means in the mobile station for sending a status report from the mobile station to the radio access network in accordance with the second set of rules.

As noted above, Sun does not teach or suggest anything about mobile radio communication systems. Thus, the recited elements of the mobile station and the radio access network are not taught or suggested by Sun. Therefore, the allowance of claim 42 is respectfully requested.

Claims 22, 25-27, and 35-37 have been amended to depend from claim 42. Claims 22, 25-27, and 35-37 recite further limitations in combination with the novel elements of claim 42. Therefore, the allowance of claims 22, 25-27, and 35-37 is respectfully requested.

### 3.) Claim Rejections – 35 U.S.C. § 103(a)

The Examiner rejected claims 2, 4, 5, 9-15, 21, 23-24 and 28-34 under 35 U.S.C. § 103(a) as being unpatentable over Sun in view of Safadi (US 5,847,751). The Applicants contend that the new claims and claim amendments also distinguish the claimed invention from the combination of Sun and Safadi. The Examiner's consideration of the amended claims is respectfully requested.

Claims 2, 4, 5, and 9-15 depend from claim 40 and recite further limitations in combination with the novel elements of claim 40. As noted above, Sun does not teach or suggest anything about mobile radio communication systems. Thus, the recited steps performed by the mobile station and the radio access network are not taught or

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suggested by Sun. Likewise, Safadi discloses a cable television communication system, and does not teach or suggest anything about mobile radio communication systems. In particular, the recited steps performed by the mobile station and the radio access network are not taught or suggested by Safadi. Therefore, the withdrawal of the rejection under 35 U.S.C. § 103 and the allowance of claims 2, 4, 5, and 9-15 are respectfully requested.

New claim 41 also depends from claim 40. Therefore, the allowance of claim 41 is respectfully requested.

Regarding claims 21, 23-24 and 28-34, these claims depend from claim 42 and recite further limitations in combination with the novel elements of claim 42. As noted above, Sun does not teach or suggest anything about mobile radio communication systems. Thus, the recited elements of the mobile station and the radio access network are not taught or suggested by Sun. Likewise, Safadi discloses a cable television communication system, and does not teach or suggest anything about mobile radio communication systems. In particular, the recited elements of the mobile station and the radio access network are not taught or suggested by Safadi. Therefore, the withdrawal of the rejection under 35 U.S.C. § 103 and the allowance of claims 21, 23-24 and 28-34 are respectfully requested.

New claims 43 and 44 recite the method and system of claims 40 and 42 except that the transmission is from the mobile station to the radio access network. Basis for claims 43 and 44 is found in FIG. 1 and in the specification on page 12, lines 5-13. The allowance of claims 43 and 44 is respectfully requested for the reasons discussed above for claims 40 and 42.

New claims 45 and 46 recite a radio access network and a mobile station, respectively, modified in accordance with the claimed invention to implement a flexible radio link protocol that enables transmission of data between the mobile station and a radio access network when operating with a plurality of data transmission modes. The allowance of claims 45 and 46 is respectfully requested for the reasons discussed above for claims 40-44.

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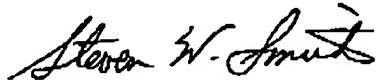
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**CONCLUSION**

In view of the foregoing remarks, the Applicants believe all of the claims currently pending in the Application to be in a condition for allowance. The Applicants, therefore, respectfully request that the Examiner withdraw all rejections and issue a Notice of Allowance for claims 2-19, 21-37, and 40-46.

The Applicants request a telephonic interview if the Examiner has any questions or requires any additional information that would further or expedite the prosecution of the Application.

Respectfully submitted,



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